

REMARKS

This Amendment, submitted in response to the Office Action dated September 4, 2008, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested based on the following analysis.

1. Overview of Final Office Action

Claims 1, 2, 5, 9, 10 and 15 remain rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable by Niida in view of Blatter et al (USP 5,838,873; hereafter “Blatter”) in further view of Anderson et al (USP 6,091,772; hereafter “Anderson”).

Claims 3, 4, 6, 7, 8, 11, 12, 13, 14, and 16 remain rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Niida in view of Blatter in further view of Anderson in further view of Oishi et al (US 6,779,195; hereafter “Oishi”).

2. Analysis of § 103 Claim Rejection

In rejecting claim 1, the Examiner maintains the following positions:

- (i) Niida (Fig. 6 and col. 12 lines 23-67) discloses the claimed packet parser for extracting packet identifier information (PID) from a program specific information (PSI) packet and outputting additional information corresponding to the PID and an audio/video (AV) packet;
- (ii) Blatter (col. 2 lines 24+ and col. 4 lines 15+) teaches inserting information into a transport stream;
- (iii) Anderson (col. 5 lines 50+) teaches that additional information does not include the PID; and thus
- (iv) One of ordinary skill in the art would have modified Blatter in order to specifically put the PSI data at the head of an MPEG stream, whereby the claimed apparatus is rendered obvious.

Regarding (i), however, the alleged additional information disclosed in Niida still fails to meet the requirements of the claimed additional information.

In the “Response to Arguments” on page 2 of the Final Office Action, the Examiner asserts that “[t]he additional information that is outputted is information regarding mode transition and corresponds to the extracted packet identification information.”

To begin with, however, it is unclear what the “information regarding mode transition” indicates in Niida including the cited parts (Figs. 6 and col. 12 lines 23-67), and how such information regarding mode transition, if there is any, corresponds to the claimed additional information. By contrast, the claimed additional information is clearly recited such that PID is first extracted from a PSI packet, and additional information which corresponds to this extracted PID (and an AV packet) is outputted. However, this procedural aspect of obtaining additional information is not disclosed in Niida no matter how broadly the claim is read. Specifically, the cited parts of Niida do not disclose that PID is extracted from a PSI packet so that the PID is used to output additional information.

In addition, col. 5 lines 40-47 of Niida also fails to disclose the claimed additional information. This cited part only discloses that PSI for specific reproduction (i.e., trick play of a video cassette recorder) is stored during normal reproduction and output; but does not disclose that any additional information corresponding to the PID and AV packet, as recited in the claim, is output from any element of the recording/reproducing apparatus. This is particularly so when considering that the additional information is clearly differentiated from the PID in the claim recitation itself, and further, defined as being inserted into a particular region in (within) the AV packet for storing.

In the meantime, the Examiner asserts that the memory 106 and the buffer 108 (Fig. 6 of Niida) correspond to the claimed storage medium that stores the AV packet in which the additional information is inserted. However, the corresponding descriptions of Niida discloses that the memory 106 holds the PSI of normal reproduction data (NPD), and the buffer 108 temporarily stores a bit stream. This disclosure does not teach the function of the claimed storage because neither of the memory 106 and the buffer 108 stores an AV packet in which the additional information, which does not include a corresponding PID, is inserted. In this respect, Niida fails again to teach or suggest the claimed apparatus.

Further, the Examiner appears to assert that while Niida does not disclose additional information which does not include PID, this deficiency is remedied by Anderson. See the above (iii). Before discussing Anderson, however, even if Niida discloses any information corresponding to the claimed additional information, for argument purposes, the alleged

information cannot help but include PID. This is because either of normal reproduction and specific reproduction requires PID included in a PSI packet to reproduce trick play data and normal data. Without PID, neither data can be reproduced as desired by a user.

Next, as noted in (ii), Blatter is alleged to teach inserting information into a transport stream in col. 2 lines 24+ and col. 4 lines 15+. However, the cited parts of Blatter do not teach or suggest that additional information or any corresponding information is inserted into a “particular region in (i.e., within) the AV packet”.

Blatter appears to provide a method to reduce storage overhead in storing a transport stream. In doing so, however, Blatter only reduces the size of existing PSI by generating so called condensed PSI (CPSI). However, this CPSI is still represented in the form of PSI which includes PID values since the CPSI includes renumbered PID values to distinguish individual data streams from one another. For example, Table I (col. 9) and relevant description (col. 9 lines 29-32) explicitly describes that the CPSI contains a PAT with a PID value (0400). The CPSI also contains a network information table (NIT) which still has a PID value (040E). Blatter also confirms this aspect of the CPSI by describing that “[t]he CPSI therefore comprises a PAT and a PMT and may also include either or both a CAT and [a] NIT” in col. 10, lines 39-40. For the foregoing reason, this CPSI may well be inserted in selected PSI location after creation in the condensed form (see step 235 in Fig. 2). The location of the CPSI is also specifically mentioned in col. 13 lines 36-38 which reads “[i]n this manner, the packetized PAT, PMT, CAT and NIT sections of the CPSI are inserted into PSI locations to replace the corresponding sections of the PSI.”

By contrast, the claimed additional information is inserted in a particular region in (i.e., within) a corresponding AV packet. This region within the AV packet is clearly distinguished from a PSI location in a transport stream as shown in Fig. 1B of the present application. That is, the CPSI is disposed in the same position of the existing PSI packet, but cannot be inserted into an AV packet (the last two packets of a single transport stream packet in Fig. 1B).

Further, although it may be alleged that inserting additional information into a transport stream packet is well known in the art (page 4 of the Final Office Action), inserting additional information into a corresponding AV packet is not known in the art including Blatter.

At least due to the foregoing reasons, Applicant respectfully submits that claim 1 and corresponding claims 10 and 15 would not have been obvious over Niida in view of Blatter and Anderson, because the cited references fail to teach or suggest allegedly corresponding elements of the claim.

Dependent claims 2-9 and 11-14 and 16 should be allowable at least by virtue of their dependency from claim 1, 10 or 15, respectively, and additionally recited elements therein.

3. Miscellaneous Amendment

Applicant amends claim 1 to correct minor informalities, and respectfully requests entrance of the amendment as they do not raise new issues requiring further consideration and search by the Examiner.

4. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/ Seunghee Park

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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CUSTOMER NUMBER

Seunghee Park
Registration No. 60,719

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